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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/070,587

07/10/2002

Leszek Wojnowski

VOS-30

7615

1473 7590 07/31/2008

ROPES & GRAY LLP  
PATENT DOCKETING 39/361  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-8704

EXAMINER

FETTEROLF, BRANDON J

ART UNIT

PAPER NUMBER

1642

MAIL DATE

DELIVERY MODE

07/31/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10070587	7/10/02	WOJNOWSKI ET AL.	VOS-30

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**EXAMINER**

BRANDON J. FETTEROLF

ART UNIT	PAPER
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1642	20080722
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DATE MAILED:

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**Commissioner for Patents**

The amendment filed on 4/22/2008 amending all claims drawn to the elected invention of SEQ ID NO: 90 and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because Applicants have amended all of the claims to be drawn to the nucleic acid sequence of SEQ ID NO: 155. However, in the Election to the Restriction Requirement of 4/25/2005, Applicants elected the nucleic acid sequence of SEQ ID NO: 90. As such, Applicants have changed the scope of the current claims.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/Brandon J Fetterolf/  
Primary Examiner, Art Unit 1642